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31824 7590 02/16/2012 MCDERMOTT WILL & EMERY LLP 600 13th Street, NW Washington, DC 20005-3096				
EXAMINER				
BELANI, KISHIN G				
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### **DETAILED ACTION**

This action is in response to Applicants' after-final amendment filed on 01/27/2012. None of the claims 66, 68 and 70-878 have been amended. Claims 66, 68 and 70-87 are now pending in the present application. The examiner's response to the applicants' arguments is presented below:

On pages 8-10 of the "Remarks" section, the applicants argue that none of the cited references of Walker et al., Shaffer et al. and Shoemaker et al. teaches the claim element "using a second communication channel to communicate a lock session signal to lock a first communication channel" of independent claims 66, 84 and 85. The applicants, however, accept that Walker et al. reference teaches "suspending communications occurring through a communication channel by locking the communication channel" and that Shoemaker et al. reference further teaches using two separate communication channels, a high-bandwidth multimedia channel and a low-bandwidth channel that carries requests/responses. The examiner has used the combined teachings of these two references to indicate that it is possible to achieve the same result that claims 66, 84 and 85 teach.

On page 10 of the "Remarks" section, the applicants allege that the examiner has used impermissible hindsight reasoning in view of the applicants' disclosure. The examiner respectfully disagrees. Shoemaker et al., by providing two separate communication channels, allow a user to better control the communication over the game channel of Walker et al., as shown in Fig. 1C and recited in paragraphs 0008 and

0019 of Shoemaker et al. Furthermore, the need for locking/unlocking the media [game] channel of Walker et al. is based on protecting the rights and privacy of a user who elected to play an automated game at a pre-selected time, without interference from other players. The examiner did not require hindsight teachings of the instant application to select Walker et al. and Shoemaker et al. references. It was their combined teachings that prompted the examiner to use these references instead.

In conclusion, the examiner considers the combination of Walker et al., Shaffer et al. and Shoemaker et al. to be reasonably valid. Furthermore, the cited references do adequately teach each and every claim element of the independent claims 66, 84 and 85, as well as their dependent claims, which are not in a condition for allowance at the present time.

/K. G. B./

Examiner, Art Unit 2443

February 6, 2012

/TONIA L.M. DOLLINGER/

Supervisory Patent Examiner, Art Unit 2443